

### **REMARKS**

This application has been carefully reviewed in light of the Office Action dated March 7, 2005. Claims 11 and 38 have been cancelled herein, without prejudice or disclaimer of subject matter thereof. Claims 1 to 10, 12 to 37, and 39 to 59 remain in the application, of which Claims 1, 6 and 33 are the independent claims, and Claims 1, 6, 15, 22, 31 to 33, 42, 49, 58 and 59 have been amended. Reconsideration and further examination are respectfully requested.

Initially, the Examiner's indication that Claims 11, 15 to 19, 22 to 26, 38, 42 to 46, and 49 to 53 contain allowable subject matter is acknowledged with appreciation. In response, independent Claims 1, 6 and 33 have been amended to incorporate the substance of allowable Claim 11. Furthermore, Claim 38, which mirrored Claim 11, has been cancelled without prejudice or disclaimer of subject matter, and dependent Claims 15, 22, 42, 49, which previously included the substance of Claim 11, have been amended to eliminate potential redundancies. As such, an indication of allowability for all remaining claims is respectfully requested.

In the Office Action, Claims 1 to 59 were objected to under 37 C.F.R. § 1.75, for allegedly failing to define the term "interleaved." Specifically, the Office Action alleged that, since "interleaved" is commonly defined as "the arrangement of one sequence of items with another sequence of similar items in an alternating matter," and since the array illustrated in Figure 2 does not alternate one antenna element with one probe, then the definition of the term is unclear. In response, Applicants respectfully point out that the definition provided in the Office Action describes the alternating of *sequences* of items, and not the alternating of *individual* items, as is asserted in the Office Action. Furthermore, nowhere does the provided definition require the sequence of items be limited to one item only, nor does the provided definition require each alternating sequence of items to be the same size. For this reason, Applicants respectfully assert that the array illustrated in Figure 2 clearly "interleaves" or alternates variably-sized sequences of antenna elements and calibration probes, as the term is commonly defined.

Moreover, MPEP § 2173.01 clearly indicates that, as a fundamental principle of 35 U.S.C. § 112, ¶ 2, Applicants are free to define claim terminology as they choose, so long as any special meaning assigned to a term is specifically set forth in the specification. *See* MPEP § 2173.01. Accordingly, Applicants assert that paragraph [0037] of the specification, which states "[i]n one embodiment, calibration probes are interleaved with antenna elements of the array(s),

as illustrated in Fig. 2,” provides meaning to the term “interleaved,” via illustrative example using the combination of the specification and drawings as filed. *See* MPEP § 2173.05(a)(I).

Claims 31, 32, 58 and 59 were objected to for additional informalities. In response Claims 31 and 58 were amended in accordance with the Examiner’s suggestion, and Claims 32 and 59 were amended to correct minor editorial errors, and to further clarify the feature that the redundant calibration system and the calibration are connected to the plurality of calibration probes simultaneously. This newly clarified feature is described throughout the disclosure, including paragraph [0054] of the specification.

For the foregoing reasons, reconsideration and withdrawal of the objections to all of the remaining claims are respectfully requested.

Claims 1 to 10, 12 to 14, 20, 21, 27, 33 to 37, 39 to 41, 47, 48 and 54 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,809,063 (“Ashe”); Claims 1 and 3 to 5 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,909,191 (“Hirschfield”); Claims 1 and 3 to 5 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,356,233 (“Miller”); Claims 1 and 3 to 5 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,867,123 (“Geyh”); Claims 1 and 3 were rejected under 35 U.S.C. § 102(e) over U.S. Published Patent Application No. 2004/0032365 A1 (“Gottl”); Claims 27, 30 to 32, 54 and 57 to 59 were rejected under 35 U.S.C. § 103 over Ashe; and Claims 28 to 32 and 55 to 59 were rejected under 35 U.S.C. § 103 over Ashe in view of Miller. As indicated above, independent Claims 1, 6 and 33 have been amended to incorporate the substance of allowable Claim 11. Withdrawal of the rejections and an indication of allowability for these independent claims are respectfully requested.

The other rejected claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define additional aspects of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, it is believed that the entire application is in condition for allowance, and such action is respectfully requested at the Examiner’s earliest convenience.

Finally, as to a formal matter, and in response to the request in the Office Action, an Information Disclosure Statement is attached which cites the two remaining references in the

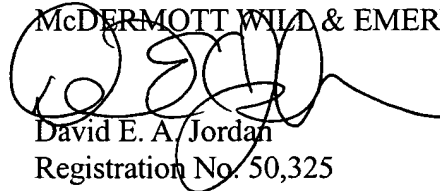
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specification, found in paragraph [0036], which have heretofore not been acknowledged by the Examiner.

Applicants' undersigned attorney may be reached in our Orange County office by telephone at (949) 851-0633. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

McDERMOTT WILD & EMERY LLP

A handwritten signature in black ink, appearing to read "David E. A. Jordan", is written over the printed name and firm name.

David E. A. Jordan  
Registration No. 50,325

18191 Von Karman Ave., Suite 400  
Irvine, CA 92612-7107  
Phone: 949.851.0633 DEJ:dmt  
Facsimile: 949.851.9348  
**Date: June 3, 2005**

**Please recognize our Customer No. 31824  
as our correspondence address.**

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